

These notes relate to the Freedom of Information (Scotland) Act 2002 (asp 13) which received Royal Assent on 28 May 2002

FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

EXPLANATORY NOTES

THE ACT – AN OVERVIEW

Part 7 – Miscellaneous and supplemental

12. This Part:
 - provides a power to make regulations relating to environmental information;
 - provides for the disclosure of information by the Commissioner to the Scottish Public Services Ombudsman and the UK Information Commissioner;
 - provides a power to repeal or amend existing statutory bars to disclosure;
 - creates an offence of altering etc. records with intent to frustrate a right of access;
 - saves existing powers of Scottish public authorities to disclose information;
 - makes provision in respect of defamation;
 - provides as to prosecutions in cases involving the Scottish Parliament, the Scottish Administration and the Scottish Parliamentary Corporate Body;
 - amends the Public Records (Scotland) Act 1937;
 - adds the Commissioner to the list of persons liable to investigation under the Scottish Public Services Ombudsman Act 2002; and
 - details procedures for the giving of notices under this Act.
13. [Part 7](#) also sets out the commencement provisions for the Act. During the period between Royal Assent and the date all the provisions have come into effect, the Scottish Ministers must make annual reports to the Parliament on progress towards full commencement.